

REMARKS

Claims 1-19 are pending in the application. Claims 1-10 and 19 have been amended herein. Entry of the amendments and favorable reconsideration of the application is respectfully requested.

I. REJECTION OF CLAIMS 1-19 UNDER 35 USC §102(b)

Claims 1-19 remain rejected under 35 USC §102(b) based on *Asada et al.* Applicants respectfully request withdrawal of the rejection for at least the following reasons.

Claim 1 has been amended to recite further the aspects of the invention including the steps of (a) making the data units out of the video data such that the playback duration of each said data unit falls within both of the first and second time ranges and (b) converting the first data stream, which is recorded on the storage medium, into the second data stream without recompressing and re-encoding the first data stream. By making the data units such that the play back duration of each data unit falls within both of the first and second time ranges, the first data stream in the first format (e.g., VR-compliant stream) can be converted into the second data stream in the second format (e.g., Video-compliant stream) without recompressing and re-encoding the first data stream (see, page 28, line 19 to page 31, line 19). Therefore, the conversion processing can be speeded up significantly and the processing load can be lightened (see, INDUSTRIAL APPLICABILITY of the specification).

Similar amendments have been made to claims 10 and 19. Support for the amendments can be found on page 21, lines 5-15, page 30, line 15 to page 31, line 19, and page 54, line 20 to page 55, line 19, and Fig. 6, for example.

In contrast, *Asada et al.* fails to teach or suggest the above mentioned converting step of two different type of the data stream in different formats without recompressing and re-encoding process. *Asada et al.* merely discloses the DVD-VR format that permits the last VOB in which the play back duration is less than 0.4 second. According to the DVD-VR format as disclosed in *Asada et al.*, recompressing and re-encoding process is needed

to convert into the DVD-Video format when the last VOB is less than 0.4 second. This is because DVD-Video format does not allow the last VOB of less than 0.4 second. This causes the same problem disclosed in the background section of the present application. Furthermore, *Asada et al.* does not disclose the two different data format like DVD-VR format and DVD-Video format. Therefore, the claimed converting step of the data stream is neither taught nor obvious from the teachings of *Asada et al.*.

Such differences are significant. The present invention enables the first data stream to comply not only with the DVD-VR format but also with more strict limits than such format. According to the present invention, the playback duration of each data unit falls within both the first and second time ranges without fail. To obtain the first data stream as claimed, the last VOB would be combined with its previous VOB as needed and the modified DVD-VR data stream to be recorded can be made, for example. Such data stream complies with both DVD-VR format and DVD-Video format. (see, page 28, the last line to page 31, line 19, or claim 3, for example).

On the other hand, according to DVD-VR format as disclosed in *Asada et al.*, for example, the playback duration of the last data unit has possibilities not to fall within the time range that is permitted in the DVD-Video format.

Asada et al. therefore fails to teach the features of amended claims 1, 10, 19, and the claims which depend therefrom. Moreover, *Asada et al.* fails to teach the above-discussed advantages associated with the claimed invention. A person having ordinary skill in the art would not have been motivated to modify the teachings of *Asada et al.*, even if possible, so as to result in the claimed invention.

Applicants respectfully request that the rejection be withdrawn for such reasons.

II. CONCLUSION

Accordingly, all claims 1-19 are believed to be allowable and the application is believed to be in condition for allowance. A prompt action to such end is earnestly solicited.

Application No.: 10/544,160

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

RENNER, OTTO, BOISSELLE & SKLAR, LLP

/Mark D. Saralino/
Mark D. Saralino
Reg. No. 34,243

DATE: January 14, 2011

The Keith Building
1621 Euclid Avenue
Nineteenth Floor
Cleveland, Ohio 44115
(216) 621-1113

okudp122amdwithRCEOA091410.doc